

# Board of Zoning Appeals

## August 13, 2020

**Members present:** Chairman, Phil Rooney; Blaine Wells; and Sarah Gillespie.

Mr. Rooney called the meeting to order at 6:00 p.m.; introduced the members to the audience and the general rules were reviewed.

The following was introduced by Mr. Adkins:

**Case Numbers: 60036-BA-20**

**Address: 708 G Street**

**Zone: R2 – Single Family, Medium Density**

Filed by Virgil Schlachter, regarding a variance from section 1122.05(A) of the City of Findlay Zoning Ordinance concerning a proposed addition at 708 G Street. The applicant is proposing an 8' X 13' addition to the front of the dwelling that will be 7.2-feet from the G Street right-of-way. This section states that the addition must meet a 25-foot front yard setback.

The property to the north sits in line with the front building line of 708 G Street, and the property to the south has a roofed porch that is in line with the current concrete pad at 708 G Street. The roofline of the neighboring property to the south and the concrete pad at 708 G Street, sit approximately 5-feet from each dwelling. If the addition were to be even with an established building line, the proposal would be in harmony with the neighboring property, but with at least an extra 3-foot extension into the setback, harmony in the neighborhood would no longer exist.

Mr. Ryan Cordell, 7546 Ponderosa Drive, Perrysburg, Ohio 43551, representing the applicants, was sworn in. He stated the variance is needed for a patio enclosure and the front is the only place that the addition could be built and be attached to the house. The rear has the garage, the side only has a five-foot area, and the other side has the driveway. He stated the house already has a front porch, and they want to put a new concrete pad and enclose it.

Mr. Wells asked Mr. Adkins to explain the city's position on this request.

Mr. Adkins stated the property to the south has a roofed porch area that lines up with the property of the variance request. Looking at the neighborhood, it would be a straight line and therefore be in harmony with the neighborhood. The owner is proposing an eight feet addition.

Mr. Wells asked Mr. Cordell if they did a five-foot addition, staying in line with the existing roofline, what would that do to the functionality of the space?

Mr. Cordell stated that size addition would not be big enough for the home owner. He stated he has letters from the neighbors to the North and the South regarding them being in favor of the addition.

Ms. Gillespie asked Mr. Cordell if this is going to be an all-season room?

Mr. Cordell stated, yes, it is.

Mr. Wells stated it seems excessive to him; it sticks out and could easily obstruct the view of a car coming down the road.

Mr. Rooney clarified that just because the board may have granted a similar variance somewhere else, they do not set a precedence because locations are so different everywhere in town.

Mr. Rooney stated that per the current code, the owner is already ten feet too close.

Mr. Adkins discussed the new zoning code regarding average front yard setbacks.

Mr. Cordell stated there is already a large pine tree that already sits out and the addition would not sit out past the pine tree, so there would be no less visibility than there already is with the pine tree.

Mr. Wells stated that this board is not tasked with enforcing plants but are tasked with enforcing structures.

Mr. Rooney asked if there were any communications.

Mr. Adkins read a letter into record from Pauline Bartchlett of 700 G Street, stating she has no objections to the addition; and a letter from Susan Price of 627 G Street, stating she also has no objections to the addition.

Discussion took place in regards to a greater setback than requested for the variance using the average setbacks of the neighbors on each side.

Mr. Rooney stated that this request for variance should be tabled so Mr. Cordell can get some exact measurements and see if the addition would still be worth building.

Mr. Wells made a motion to table this request for variance until next month's meeting.

Ms. Gillespie seconded the motion.

Motion to table the variance until September 10, 2020 meeting, 3-0.

Mr. Rooney explained to Mr. Cordell that the city would come out and measure the neighboring properties to get the average of the distance they could build out to.

The following was introduced by Mr. Adkins:

**Case Number: 60040-BA-20**

**Address: 2908 N. Main Street**

**Zone: R2 – Single Family, Medium Density**

Filed by Michael Patterson, regarding a variance from section 1122.05(A) of the City of Findlay Zoning Ordinance concerning new fence at 2908 N. Main Street. The applicant is proposing to replace an existing fence with a new wooden fence in the same location that is up to the property line. This section requires that the fence must meet a 25-foot front yard setback from the property line.

Once a non-conforming fence is removed, or repaired, it must meet the current setbacks per current code. The variance process gives an owner the ability to replace the fence as such. Upon visiting the

property, the current fence does not obstruct any view, and being the owner is moving the fence back from where it stands currently, the city would not oppose the board if it grants a variance to replace the existing fence.

Mr. Michael Patterson was sworn in. He stated before they put up their shed, they had a survey done and found out their existing fence on the west side was a foot and a half onto the neighboring property and the property owner asked them to remove that section, which they did. They now want to put a new fence up. They are on a corner lot to the south. The fence has been there since they bought the property in 1998 and they just want to put it in the same location.

Ms. Tinamarie Bloomfield, property owner of 104 Waddle St. was sworn in. She stated she does not live there, it is a rental property; his fence was on her property but he did remove it. She asked what the setback is for his shed.

Mr. Adkins explained the three-foot side yard setback and the five-foot rear yard setback for the shed to Ms. Bloomfield.

Ms. Bloomfield asked why he has to put the fence up to the property line; why can't it have a setback like the shed?

Mr. Adkins explained to Ms. Bloomfield that the way the code is, fences can go up to the property line. There is a height limitation for fences in the front yard of four-feet high and must be fifty (50%) percent open. Along Waddle Street would also be considered to be a front yard and therefore the first twenty-five feet from the property line cannot exceed four-feet in height and must be fifty percent (50%) open.

Ms. Bloomfield again asked why he can't put the fence even with the shed instead of going up to the property line?

Mr. Rooney stated we cannot change the code.

Mr. Wells showed Ms. Bloomfield a diagram to help her understand the location of the new fence showing her it will not be on her property.

Mr. Rooney asked Mr. Adkins if there were any correspondence.

Mr. Adkins stated there were no correspondences.

Mr. Wells made a motion to grant the variance as requested and to obtain the permit within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, 3-0.

The following was introduced by Mr. Adkins:

**Case Numbers: 60041-BA-20**  
**Address: 214 Glendale Avenue**  
**Zone: R1 – Single Family, Low Density**

Filed by Kerry Trombley, regarding a variance from section 1121.05(B) and 1121.05(C) of the City of Findlay Zoning Ordinance concerning a proposed addition to the rear of the dwelling at 214 Glendale Avenue. The applicant is proposing a 12-foot rear yard setback and a 3-foot side yard setback for the proposed addition to the attached garage. These sections require a 30-foot rear yard setback and 5-foot side yard setback for the proposed addition.

If the garage was not connected to the dwelling via a breezeway, the garage would have been treated as an accessory structure. The setbacks required for an accessory structure would be 5-feet from the rear property line and 3-feet from the side yard property line. Being the owner is asking for a side yard setback equal to that of an accessory structure and a rear yard setback that is well within the required setback of an accessory structure, the city does not see an issue with granting a variance.

Mr. Trombley was sworn in. He stated he is proposing to expand his one and a half car garage by approximately eight feet to the north making it a two -car garage. It has a breezeway to the house making it an attached garage.

Mr. Rooney asked Mr. Adkins if there are any correspondence.

Mr. Adkins stated there is no correspondence.

Mr. Wells made a motion to grant the variance as requested and for the permit to be obtained within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, 3-0.

The following was introduced by Mr. Adkins:

**Case Numbers: 60042-BA-20**  
**Address: 829 Fishlock Avenue**  
**Zone: R2 – Single Family, Medium Density**

Filed by Jack Quisno, regarding a variance from section 1121.05(B) of the City of Findlay Zoning Ordinance concerning a proposed addition to the rear of the dwelling at 829 Fishlock Avenue. The applicant is proposing a 4.4-foot side yard setback for the proposed addition. This section requires a 5-foot side yard setback for the proposed addition.

Being that the dwelling was built with a 4.4-foot setback from the property line, and the owner is looking to construct the addition at the existing established building line, the city has no objection to allowing the owner to continue that line that has already been pre-established.

Applicant not present.

Mr. Wells stated the request is very minimal and is in harmony with the neighborhood. He made a motion to approve the request for variance contingent on getting the permit within 60 days.

Ms. Gillespie seconded the motion.

Motion to approve the variance as requested, 3-0.

The July 09, 2020 meeting minutes were tabled until the September 10, 2020 meeting.

The meeting was adjourned.



Chairman



Secretary